

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE June 17, 2005

ANALYST Leah S. Palmer

I. COMMITTEE DeRossett for Congress
C00386060
Lori J Lobbestael, Treasurer
Post Office Box 367
Saline, MI 48176

II RELEVANT STATUTE: 2 U.S.C. §441a-1(b)(C)
11 CFR §400.9 (b)
11 CFR §400.21 (b)
11 CFR §400.41

III BACKGROUND:

Millionaire Provision Reporting Problems (Failure to timely file 24-Hour Notice of Expenditure from Candidate's Personal Funds)

DeRossett for Congress failed to timely file one (1) 24-Hour Notice of Expenditure from Candidate's Personal Funds (FEC FORM 10) after Oscar Gene DeRossett ("the Candidate") made expenditures from personal funds totaling \$451,000 for the 2004 Primary Election (Attachment 2).

On July 15, 2003, the Committee filed the 2003 July Quarterly Report. The report disclosed the receipt of two (2) loans from the personal funds of the Candidate totaling \$196,000. These loans were received on April 8, 2003 in the amount of \$57,000 and June 26, 2003 in the amount of \$139,000 and both were designated for the 2004 Primary Election (Images 23991371460 and 23991371461).

On January 20, 2004, the Committee filed the 2003 Year End Report. The report disclosed the receipt of a loan from the personal funds of the Candidate. The loan was received on December 30, 2003 in the amount of \$25,000 and was designated for the 2004 Primary Election (Image 24990326758).

On April 14, 2004, the Committee filed the 2004 April Quarterly Report. The report disclosed the receipt of a loan from the personal funds of the Candidate. The loan was received on March 31, 2004 in the amount of \$230,000 and was designated for the 2004 Primary Election (Image 24990994872). The receipt of this loan, when added to prior loans, totaled \$451,000 in personal funds for the 2004 Primary Election. This aggregate total exceeded the \$350,000

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reporting requirement threshold for the 2004 Primary Election and thus required the filing of a 24-Hour Notice of Expenditure from Candidate's Personal Funds (FEC FORM 10).

On April 19, 2004, the Committee filed an FEC FORM 10 disclosing \$230,000 in expenditures from the Candidate's personal funds for the 2004 Primary. The FEC Form 10 was filed eighteen (18) days late (Image 24038381034).

On May 4, 2004, a Request for Additional Information ("RFAI") referencing the FEC FORM 10 filing of April 19, 2004 was sent by RAD to the Committee. The RFAI noted that it appeared that the Committee filed the FEC FORM 10 outside of the required reporting timeframe, and advised them of the filing requirements for future FEC FORM 10's (Image 24038402157).

On June 2, 2004, Sarah Pruse called the RAD analyst to discuss how to respond to the May 4, 2005 RFAI regarding the late-filed FEC FORM 10. The analyst advised the Committee that the FEC FORM 10 was considered late, but that the Committee could still provide a response for the public record explaining why the FEC FORM 10 had been filed late. The Committee stated that they would file an explanation for the public record that day (Attachment 3).

On June 2, 2004, the Committee filed a miscellaneous document in response to the RFAI that stated "DeRossett for Congress committee became aware that the committee had reached the threshold of the new Millionaire's Amendment and the requirements needed to comply with this new law, on April 19, 2004." The Committee went on to explain that they filed immediately with the FEC and the opposing candidates upon becoming aware of the filing requirements (24038422858).

On May 26, 2005, the RAD analyst called the Committee and notified Sarah Pruse, a campaign assistant, that the matter of the late-filed FEC FORM 10 would be referred to the Office of General Counsel (OGC). Ms. Purse also posed numerous questions concerning the manner in which OGC would process the referral. The Analyst advised Ms. Purse that she could not comment on the procedures of OGC but that the Committee would be able to ask questions once contacted by that office. The Committee representative said she would pass on all relevant information to the treasurer (Attachment 4).

To date, no further communication has been received from the Committee regarding this matter.

DEROSSETT, OSCAR GENE

ID #H4H107079

DEROSSETT FOR CONGRESS
LORI J LOBBESTAEI
FILING FREQUENCY: QUARTERLY

PO BOX 367

SALINE

HOUSE
MI 48176

ID #C00386060

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
1		N		4/09/2003	5	23038033037						
MS		X		4/19/2004	2	24038381034						
MS		T		6/02/2004	2	24038422858						
MS		T		6/02/2004	3	24038423114						
MS		4		7/21/2004	2	24961974779						
MS		4		7/22/2004	2	24961978063						
MS		4		7/26/2004	2	24962042993						
MS		4		7/27/2004	2	24962046173						
MS		4		7/29/2004	3	24962049486						
MS		T		3/08/2005	3	25038751042						
RQ	Q2	2		8/19/2003	3	23038192258	4/01/2003 6/30/2003					
RQ		4		5/04/2004	3	24038402157	5/04/2004					
RQ	Q3	2		2/08/2005	4	25038730424	7/15/2004 9/30/2004					
3	Q2	N		7/15/2003	51	23991371412	4/01/2003 6/30/2003	0	298152	31861	266290	196698
3	Q2	A		9/18/2003	52	23991962183	4/01/2003 6/30/2003	0	298152	31861	266290	196698
3	Q2	A		10/15/2003	52	23992069485	4/01/2003 6/30/2003	0	298152	31861	266290	196698
3	Q2	A		3/19/2004	53	24990813112	4/01/2003 6/30/2003	0	298152	31861	266290	196698
3	Q3	N		10/15/2003	91	23992078627	7/01/2003 9/30/2003	266290	112606	83198	295698	196000
3	Q3	A		3/19/2004	91	24990813457	7/01/2003 9/30/2003	266290	112606	83198	295698	196000
3	Q3	A		4/20/2004	93	24991152751	7/01/2003 9/30/2003	266290	113056	83648	295698	196000
3	YE	N		1/30/2004	63	24990326698	10/01/2003 12/31/2003	295698	51968	71313	276353	221000
3	YE	A		3/19/2004	63	24990813659	10/01/2003 12/31/2003	295698	51968	71313	276353	221000
3	YE	A		4/20/2004	64	24991153022	10/01/2003 12/31/2003	295698	52418	71763	276353	221000
3	Q1	N		4/14/2004	78	24990994795	1/01/2004 3/31/2004	276353	316115	44735	547733	451000
3	Q1	A		4/20/2004	80	24991153086	1/01/2004 3/31/2004	276353	316565	45185	547733	451000
3	Q2	N		7/15/2004	64	24971333414	4/01/2004 6/30/2004	547733	26618	252812	321539	451000

FEDERAL ELECTION COMMISSION

DATE: 6/17/2005
OGC INDEX - (0) (2003-2004)

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DEROSSETT, OSCAR GENE

ID #H4MI07079

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3	12P	N	P	7/22/2004	20	24961977589	7/01/2004 7/14/2004	321539	3950	31348	294140	451000
3	Q3	N		10/15/2004	53	24962526251	7/15/2004 9/30/2004	294140	45394	333946	5587	451000
3	Q3	A		12/22/2004	53	24991489636	7/15/2004 9/30/2004	294140	46494	333923	6711	451000
3	Q3	A		3/08/2005	59	25990195140	7/15/2004 9/30/2004	294140	46494	333923	6711	451000
3	YE	N		1/28/2005	11	25970033682	10/01/2004 12/31/2004	6711	23	5533	1201	445500
3	YE	A		3/08/2005	12	25990195199	10/01/2004 12/31/2004	6711	23	5533	1201	445500
TOTAL									857276	856073		

DeRossett for Congress (C00386060)
Candidate Expenditures from Personal Funds for 2004 Primary Election

Expenditure Amount	Type of Expenditure	Receipt Date Listed On Report	Report Expenditure Disclosed On	Aggregate Total for Primary Election	Form 10 Filed?	Date Form 10 Filed	Number of Days Late
\$57,000.00	Loan	4/8/2003	Q2 2003	\$57,000.00	Not Required	N/A	N/A
\$139,000	Loan	6/26/2003	Q2 2003	\$196,000.00	Not Required	N/A	N/A
\$25,000	Loan	12/30/2003	YE 2003	\$221,000.00	Not Required	N/A	N/A
\$230,000	Loan	3/31/2004	Q1 2004	\$451,000.00	Yes	4/19/2004	18